

3. Industrial, agricultural and other non-domestic contaminant sources, point sources or wastewater treatment facilities which are not included under subparagraph (6)(A)2.B. shall not be allowed to discharge. Agrichemical facilities shall be designed and constructed so that all bulk liquid pesticide nonmobile storage containers and all bulk liquid fertilizer nonmobile storage containers are located within a secondary containment facility. Dry bulk pesticides and dry bulk fertilizers shall be stored in a building so that they are protected from the weather. The floors of the buildings shall be constructed of an approved design and material(s). At an agrichemical facility, all transferring, loading, unloading, mixing and repackaging of bulk agrichemicals shall be conducted in an operational area. All precipitation collected in the operational containment area or secondary containment area as well as process generated wastewater shall be stored and disposed of in a no-discharge manner.

4. Monitoring requirements.

A. The department will develop a wastewater and sludge sampling program based on design flow that will require, at a minimum, one (1) wastewater sample per year for each twenty-five thousand (25,000) gpd of effluent, or fraction thereof, except that—

(I) Point sources that discharge less than five thousand (5,000) gpd may only be required to submit an annual report;

(II) Point sources that discharge more than one point three (1.3) mgd will be required at a minimum to collect fifty-two (52) wastewater samples per year; and

(III) Sludge sampling will be established in the permit.

B. Sampling frequency shall be spread evenly throughout the discharge year. This means that a point source with a continuous discharge shall take samples on a regular schedule, while point sources with seasonal discharges shall collect samples during the season of discharge.

C. Sample types shall be as follows:

(I) Samples collected from lagoons may be grab samples;

(II) Samples collected from mechanical plants shall be twenty-four (24)-hour composite samples, unless otherwise specified in the operating permit; and

(III) Sludge samples shall be a grab sample unless otherwise specified in the operating permit.

D. The monitoring frequency and sample types stated in paragraph (6)(D)3. are minimum requirements. The permit writer shall establish monitoring frequencies and

sampling types to fulfill the site specific informational needs of the department.

(B) Limits for Outstanding State Resource Waters as per Water Quality Standards.

1. Discharges shall not cause the current water quality in the streams to be lowered.

2. Discharges will be permitted as long as the requirements of paragraph (6)(B)1. are met and the limitations in section (8) are not exceeded.

(7) Effluent Limitations for Subsurface Waters.

(A) No person shall release any water into aquifers, store or dispose of water in a way which causes or permits it to enter aquifers either directly or indirectly unless it meets the appropriate groundwater protection criteria set in 10 CSR 20-7.031, Table A at a point ten feet (10') under the release point except as provided in subsections (7)(E) and (F). The permit writer shall review the complete application and other data to determine which parameter to include in the permit.

(B) No wastewater shall be introduced into sinkholes, caves, fissures or other openings in the ground which do or are reasonably certain to drain into aquifers except as provided in section (4) of this rule.

(C) All abandoned wells and test holes shall be properly plugged or sealed to prevent pollution of subsurface waters, as per the requirements of the Division of Geology and Land Survey.

(D) Where any wastewater treatment facility or any water contaminant source or point source incorporates the use of land treatment systems which allows or can reasonably be expected to allow wastewater effluents to reach the aquifer. Compliance with subsection (7)(A) shall be determined by a site specific monitoring plan.

(E) The effluent limitations specified in subsection (7)(A) shall not apply to facilities designed and constructed to meet department design criteria provided these designs have been reviewed and approved by the Department of Natural Resources. The Department of Natural Resources has the right to require monitoring, reporting, public notice and other information as deemed appropriate. This exemption may be revoked by the department should any monitoring indicate an adverse effect on a beneficial water use or if the numeric criteria in the Water Quality Standards are being exceeded.

(F) Any person not included in subsection (7)(E) who releases, stores or disposes of water in a manner which results in releases of water to an aquifer having concentrations in excess of one (1) or more parameter limitations provided in subsection (7)(A) may be

allowed to resample for purposes of verification of the excess. At their discretion, persons may demonstrate, at the direction of the Department of Natural Resources, that the impact on the water quality in the aquifer is negligible on the beneficial uses. The demonstration shall consider, at a minimum, the following factors:

1. Site geology;
2. Site geohydrology;
3. Existing and potential water uses;
4. Existing surface water and groundwater quality;
5. Characteristics of wastes or wastewater contained in facilities; and

6. Other items as may be required by the Department of Natural Resources to assess the proposal.

A. All demonstrations shall be reviewed by the department if the demonstrations show that the impact on groundwater quality will not result in an unreasonable risk to the public, alternate effluent limitation(s) will be proposed by the Department of Natural Resources and presented to the Clean Water Commission for approval. The Clean Water Commission has the right to require monitoring, reporting, public notice and other information as deemed appropriate in the approval of the alternate limitation for one (1) or more parameters from (7)(A). The Clean Water Commission may hold a public hearing to secure public comment prior to final action on an alternate limitation.

B. No alternate limitations will be granted which would impair beneficial uses of the aquifer or threaten human health or the environment.

C. Alternate limitations may be revoked by the department should any monitoring indicate an adverse effect on a beneficial water use or violations of the alternate limitation.

(8) Effluent Limitations for All Waters, Except Those in Paragraphs (1)(A)1.-6.

(A) The following limitations represent the maximum amount of pollutants which may be discharged from any point source, water contaminant source or wastewater treatment facility.

(B) Discharges from wastewater treatment facilities which receive primarily domestic waste or POTWs shall undergo treatment sufficient to conform to the following limitations:

1. BOD₅ and NFRs equal to or less than a monthly average of thirty (30) mg/l and a weekly average of forty-five (45) mg/l;
2. pH shall be maintained in the range from six to nine (6-9) standard units;
3. The limitations of paragraphs (8)(B)1. and 2. will be effective unless a